

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBEST CONSTRUCTION, LLC
Employer

and

Case 25-RC-184895

INDIANA/KENTUCKY/OHIO REGIONAL
COUNCIL OF CARPENTERS,
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., December 12, 2017.

Member Emanuel, dissenting:

I would grant the Employer's Request for Review and direct the parties to submit to the Board offers of proof regarding the status of current and planned projects in Northwest Indiana, and the employment of unit employees since the close of the hearing.

WILLIAM J. EMANUEL, MEMBER

¹ In denying review, we note that the Employer's Request for Review, which has been prepared by its counsel, does not contain any citations at all to the hearing transcript in support of its assertion that the cessation of the Employer's business is imminent and definite. As such, the Request for Review completely fails to comply with the requirement that such a request be a self-contained document enabling the Board to rule on the issues on the basis of its contents without the necessity of recourse to the record. See 29 C.F.R. § 102.67(e). Member Kaplan would deny review solely on this basis.

We do not rely on any testimony concerning the Employer's possible future projects located outside of Northwest Indiana.